

# **EXHIBIT B**

[REDACTED]

June 9, 2017

**Via UPS Express Overnight Delivery**

J.C. Dacier  
Senior Investigator  
New York State Department of Labor  
Harriman State Office Campus  
Building 12, Room 185A  
Albany, NY 12240

Re: [REDACTED]

Wage Claim Number: [REDACTED]

Dear Mr. Dacier:

In resolution of the above-referenced wage claim, enclosed please find check no. 4071593 payable to [REDACTED] in the amount of \$70.58, as a late payment penalty.

Thank you for your assistance in resolving to this matter.

Very Truly Yours,

[REDACTED]

Enclosure

[REDACTED]

H

Codit

SETTLEMENT

060617

10 06/06/17

70.58

70.58

70.58

70.58

\*\*\* \*\* 70.58  
SEVEN ZERO PERIOD FIVE EIGHT

PAY  
SEVENTY AND 58/100

TO THE  
ORDER  
OF

MP

TO VERIFY AUTHENTICITY OF THIS CHECK, RUB OR BREATHE ON THE OVAL; COLOR WILL DISAPPEAR, THEN REAPPEAR

[REDACTED]

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**From:** Dacier, J.C. (LABOR) <J.C.Dacier@labor.ny.gov>  
**Sent:** Tuesday, June 06, 2017 2:26 PM  
**To:** [REDACTED]  
**Subject:** RE: [External]RE: [REDACTED]

What you have proposed will resolve the claim. Thanks for the quick turnaround.

[REDACTED]

**Sent:** Tuesday, June 06, 2017 3:22 PM  
**To:** Dacier, J.C. (LABOR) <J.C.Dacier@labor.ny.gov>  
**Subject:** RE: [External]RE: [REDACTED]

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Investigator Dacier:

[REDACTED] Payroll Department confirmed the following hours [REDACTED] worked between 10/10/16 and 10/14/16, and the corresponding paychecks (*copies attached*):

10/10/16:  
7.50 hours  
Paycheck dated 12/8/2016

10/11/16:  
7.50 hours  
Paycheck dated 10/28/2016

10/13/16:  
7.50 hours  
Paycheck 10/31/2016

10/14/16:  
6.50 hours  
Paycheck 10/31/2016

As the pay was late, I will arranged to forward a check payable to [REDACTED] in the amount of \$70.58 (no deductions) as liquidated damages.

If this will not resolve this wage claim, please advise. Thank you for your attention to this matter.

**From:** Dacier, J.C. (LABOR) [mailto:J.C.Dacier@labor.ny.gov]  
**Sent:** Tuesday, June 06, 2017 10:50 AM

**Subject:** [External]RE: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks so much for responding. I initially had a hard time finding anyone knowledgeable to discuss this matter with at [REDACTED] I am glad that you're working on this.

[REDACTED] alleges that she worked 15.68 hours at \$9.00 per hour during between 10/10 & 10/14/16 and that Regis withheld her wages (\$141.15).

When employers fail to pay their employees on a timely basis they subject themselves to paying the employee damages in addition to wages. The amount due is \$141.15 + 50% liquidated damages. New total: \$211.73. If your research shows that the main part of this claim has already been paid, but it was paid more than seven days after the end of the pay period in question then the 50% damages are still due, i.e. \$70.58.

Per your request the original notice accompanies this email as an attachment. Payment (if due) should go to the address shown beneath my name, check payable to 'Commissioner of Labor' or [REDACTED] Deadline: 6/23/17.

Respectfully yours,

**Mr. J.C. Dacier**  
Senior Investigator

**New York State Department of Labor**  
Harriman State Office Campus  
Building 12, Room 185A, Albany NY 12240  
P: (518) 485-6334 |  
[www.labor.ny.gov](http://www.labor.ny.gov) | [j.c.dacier@labor.ny.gov](mailto:j.c.dacier@labor.ny.gov)  
[Facebook](#) | [Twitter](#) | [YouTube](#) | [Linkedin](#)

[REDACTED]  
Sent: Tuesday, June 06, 2017 10:49 AM  
To: Dacier, J.C. (LABOR) <[J.C.Dacier@labor.ny.gov](mailto:J.C.Dacier@labor.ny.gov)>  
Subject: [REDACTED] your employee [REDACTED]

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Mr. Dacier:

Your email below was recently forwarded to me. I will be handling this matter, so you can forward future communications to me attention.

I have our payroll department researching this and should have responsive information from them yet today. Early indications are that this was raised previously and [REDACTED] was properly paid. I will get you documented confirmation.

In the meantime, I do not have the complaint or complaint letter you reference below. Could you please forward for our records?

[REDACTED]

[REDACTED]

**From:** Dacier, J.C. (LABOR) [mailto:[J.C.Dacier@labor.ny.gov](mailto:J.C.Dacier@labor.ny.gov)]

**Sent:** Wednesday, May 31, 2017 11:12 AM

[REDACTED]

Dear Sir/Madam:

We have not received [REDACTED] response to our letter notifying [REDACTED] of [REDACTED] claim for unpaid wages.

[REDACTED] alleges that she worked 15.68 hours at \$9.00 per hour during between 10/10 & 10/14/16 and that [REDACTED] withheld her wages (\$141.15).

It is a violation of Sections 191.1D and/or 191.1A NYS Labor Law to withhold wages from an employee. When employers underpay their employees they subject themselves to paying the employee damages in addition to wages. The amount due is \$141.15 + 50% liquidated damages. New total: \$211.73.

[REDACTED] must submit payment in the amount of \$211.73 to our office within 10 days of the date of this letter to resolve this matter. Make the check payable to the Commissioner of Labor or [REDACTED] and note the case number (see above) on the check's memo line. [REDACTED] may remit the net amount if [REDACTED] provides an itemization of all statutory deductions. Otherwise payment of the gross is acceptable.

If [REDACTED] disagrees with the amount found due [REDACTED] must provide a full explanation with evidence to support [REDACTED] contentions. Such evidence must include:

- A copy of the legally required wage rate notification issued to [REDACTED] upon hire.
- Contemporaneous time cards and payroll records showing daily and weekly hours worked and wages earned by [REDACTED] during the time frame in question, i.e. the weeks listed in this letter's second paragraph. Please account for any statutory deductions such as social security, income tax, etc. that may have been deducted from [REDACTED] earnings.

NYS Labor Law holds owners and agents of a business personally responsible for the payment of wages. Action will be held in abeyance for 10 days to allow Regis to remit payment or, conversely, exonerating evidence as described above.

Failure to resolve this claim by 6/16/17 may result in an Order to Comply being issued against [REDACTED]. An Order to Comply will impose compound interest at 16% plus fines and civil penalties above the amount found due.

We will also assess up to 100% Liquidated Damages on the above amount as authorized by Law.

Thank you for helping us to resolve this dispute.

Respectfully yours,

**Mr. J.C. Dacier**

Senior Investigator

**New York State Department of Labor**

Harriman State Office Campus

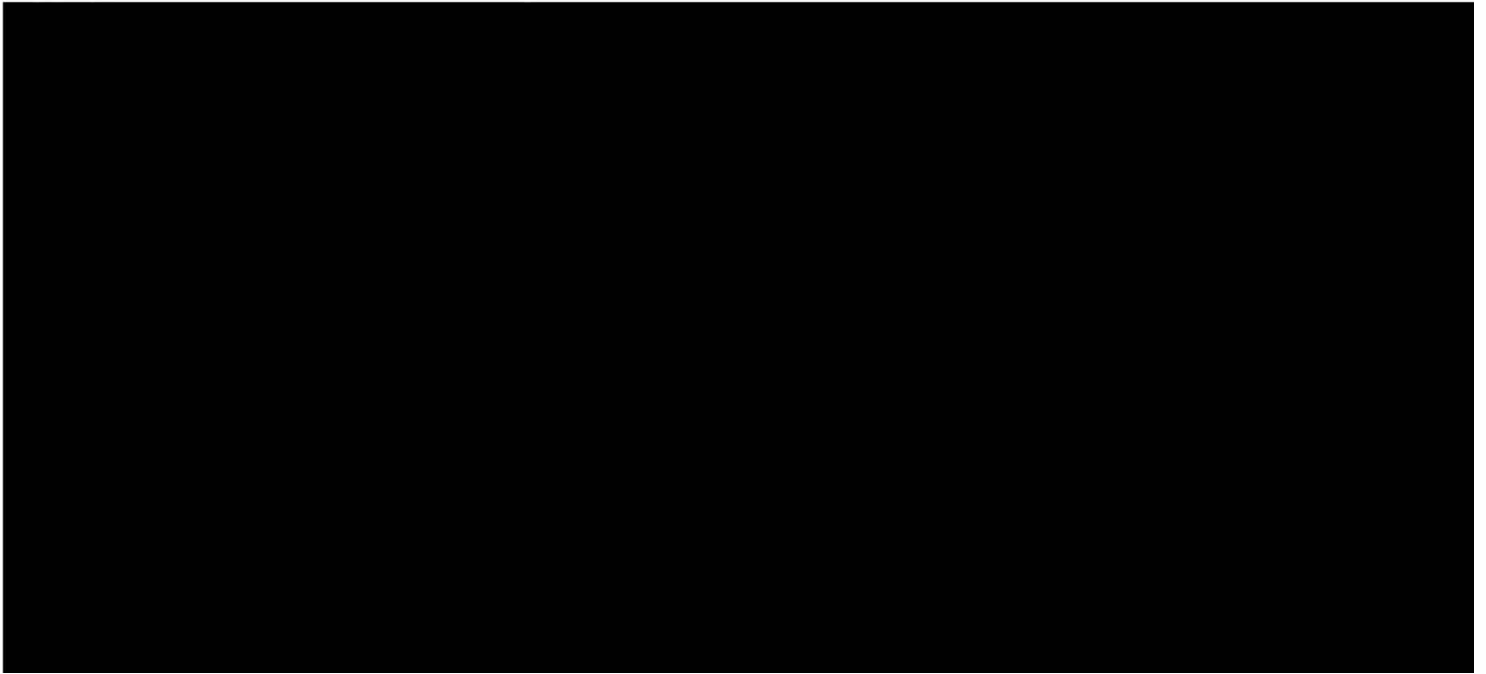
Building 12, Room 185A, Albany NY 12240

P: (518) 485-6334 |

[www.labor.ny.gov](http://www.labor.ny.gov) | [j.c.dacier@labor.ny.gov](mailto:j.c.dacier@labor.ny.gov)

[REDACTED]

[Facebook](#) | [Twitter](#) | [YouTube](#) | [Linkedin](#)



\$61.99

TO  
THE  
ACCOUNT  
OF

**THIS IS NOT A CHECK**

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_



□ □ □ □ □

DEPOSITED ONE HUNDRED TWENTY-SEVEN DOLLARS 48 CENTS

15 JULY 2004

**THIS IS NOT A CHECK**

\_\_\_\_\_

<b>Payroll Dates</b>
10/01/2016 - 10/15/2016

Check Date
10/31/2016

Check Number
54140365

Employee Name

11/11/2016

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date 12/08/2016

\$62.33

DEPOSITED SIXTY-TWO DOLLARS 33 CENTS

TO  
THE  
ACCOUNT  
OF

NON-NEGOTIABLE

THIS IS NOT A CHECK

Payroll Dates

11/16/2016 - 11/30/2016

Check Date

12/08/2016

Check Number

54142605

Employee Name

Employee Identification Number	Hire date	Federal Status	State/Prov Status	Taxing State	Salon	Rate	Regular Hours	Overtime Hours	Commissionable Service Sales	Retail Sales
410259	8/03/2016	S 3	S 0	NY						

## EARNINGS

## ADJUSTMENTS

## TAXES AND DEDUCTIONS

	HRS/UNITS	RATE	CURRENT	YTD	DESCRIPTION	CURRENT	YTD	DESCRIPTION	CURRENT	YTD
RETRO PAY	7.50	9.0000	67.50		SALON 9918			SOC SEC TAX	4.19	52.37
YTD EARNINGS				844.65				MEDICARE TAX	.98	12.25
								STATE DISABLT		3.89
								DIRECT DEPOSIT	62.33	776.14
GROSS PAY			67.50	844.65	ADJUSTMENTS	.00	.00	TAXES AND DEDUCTIONS	67.50	844.65
***** ADDITIONAL INFORMATION *****									CURRENT	YTD
					VAC	1.27	1.27			
								NET PAY	62.33	776.14



New York State Department of Labor  
 Andrew M. Cuomo, Governor  
 Roberta Reardon, Commissioner

DATE: November 14, 2016

ADDRESS REPLY TO:  
 State Office Bldg. Campus  
 Building 12, Rm. 185C  
 Albany, NY 12240-0122  
 Fax: 518-485-6001

REFER TO:  
 LS10 2016010117

Claim(s) for wages and/or wage supplements have been filed against you by the following employee(s):

Name	Occupation	Salary	Period of Claim	Type of Claim / Amount	
[REDACTED]	Hair Stylist	9.00 Hour	10/10/2016 - 10/14/2016	Wage Claim:	\$141.15
<b>Complaint</b> Employee claims she worked and was not paid in full for the above listed period. [REDACTED];				<b>Total</b>	<b>\$141.15</b>

This Department, under Articles 6 and 19 of the Labor Law, is authorized to collect any amounts found due from employers after after investigating claims of unpaid wages and wage supplements.

Regardless of any dispute you may have with the employee(s) who file [REDACTED] is claim(s), if the amount listed above is correct please remit a check or money order payable to the Commissioner of Labor. If you are paying the net amount, send a list of itemized legal deductions with the payment.

Labor Law requires employers to keep accurate payroll records and provide them upon request. If you do not agree with this claim, send records of hours worked and wages paid for the relevant period and a statement giving your reason for objecting. If the claim is for a wage supplement, send a copy of your written fringe benefit policy.

Your payment or response objecting to the amounts claimed, is due in this office on or before November 24, 2016. Please write your federal employer identification number (FEIN) and this case number on any payment or correspondence.

If you do not respond by the above date, the Department will assess 25% liquidated damages to the amount claimed. Failure to pay wages is a serious matter and can result in civil and criminal action against you.

We trust that we can count on your cooperation in resolving this matter.

Sincerely,

Jenita Delgado-Holley  
 Supervising LS Investigator